

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 6 NUMBER 91

Washington, Friday, May 9, 1941

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

CHAPTER I—FARM CREDIT ADMINISTRATION

[FCA Order No. 318]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

AUTHORIZATION TO APPROVE ACTS OF RECEIVERS OF JOINT STOCK LAND BANKS; APPROVE FEDERAL AND JOINT STOCK LAND BANKS HOLDING TITLE TO REAL ESTATE FOR A LONGER PERIOD THAN FIVE YEARS; GRANT CHARTERS AND AMENDMENTS TO CHARTERS OF NATIONAL FARM LOAN ASSOCIATIONS; APPROVE LOANS BY FEDERAL LAND BANKS IN EXCESS OF \$25,000

MAY 8, 1941.

Section 3.7 of Title 6, Code of Federal Regulations, as amended (5 F.R. 5276), is amended to read as follows:

§ 3.7 *Authorization to approve acts of receivers of joint stock land banks.* Authorization is given, severally and not jointly, to the Land Bank Commissioner, any deputy land bank commissioner, and M. E. Menk, Assistant Deputy Land Bank Commissioner, to approve, on such terms as he shall direct, the acts pursuant to section 29 of the Federal Farm Loan Act (39 Stat. 381, 12 U.S.C. 961-967), as amended, of any receiver of any joint stock land bank appointed under the provisions of said section 29. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memorandum No. 846, Sec. Agric., Jan. 6, 1940.)

Section 3.9 of Title 6, Code of Federal Regulations, as amended (4 F.R. 4676), is amended to read as follows:

§ 3.9 *Authorization to approve Federal land banks' holding title to real estate for a longer period than five years.* Authorization is given, severally and not jointly, to any deputy land bank commissioner, any assistant deputy land bank commissioner, and the Assistant Chief, Real Estate Service Section, to approve, on such terms as he shall direct, Federal land banks' holding title and possession of real estate for a period

longer than 5 years pursuant to paragraph Fourth (b) of section 13 of the Federal Farm Loan Act (39 Stat. 372, 12 U.S.C. 781 "Fourth" (b)), as amended. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memorandum No. 846, Sec. Agric., Jan. 6, 1940.)

Section 3.10 of Title 6, Code of Federal Regulations, as amended (5 F.R. 2157), is amended to read as follows:

§ 3.10 *Authorization to approve joint stock land banks' holding title to real estate for a longer period than five years.* Authorization is given, severally and not jointly, to any deputy land bank commissioner, any assistant deputy land bank commissioner, and the Assistant to Chief, Joint Stock Land Bank Section, to approve, on such terms as he shall direct, joint stock land banks' holding title and possession of real estate for a period longer than 5 years pursuant to paragraph Fourth (b) of section 13 of the Federal Farm Loan Act (39 Stat. 372, 12 U.S.C. 781 "Fourth" (b)), as amended. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memorandum No. 846, Sec. Agric., Jan. 6, 1940.)

Section 3.11 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 3.11 *Authorization to grant charters and amendments to charters of national farm loan associations.* Authorization is given, severally and not jointly, to any deputy land bank commissioner, to grant, on such terms as he shall direct, charters and amendments to charters of national farm loan associations. (Sec. 7, 39 Stat. 365, as amended, sec. 17 (a), 39 Stat. 375, as amended; 12 U.S.C. 719, 831 (a); E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memorandum No. 846, Sec. Agric. Jan. 6, 1940.)

Section 3.12 of Title 6, Code of Federal Regulations, as amended (4 F.R. 4676), is amended to read as follows:

§ 3.12 *Authorization to approve loans by the Federal land banks in excess of \$25,000.* Authorization is given, severally and not jointly, to any deputy land bank commissioner, the Chief, Appraisal Sub-

CONTENTS

RULES, REGULATIONS, ORDERS

TITLE 6—AGRICULTURAL CREDIT:	Page
Farm Credit Administration:	
Functions of administrative officers, amendment.....	2347
TITLE 7—AGRICULTURE:	
Agricultural Adjustment Administration:	
Regulations governing the 1941 supplementary cotton program.....	2348
TITLE 16—COMMERCIAL PRACTICES:	
Federal Trade Commission:	
Cease and desist orders:	
Bellamy, Ethel, Inc.....	2350
Gemson, Harry.....	2348
Gly-Cas Medicine Co., et al.....	2350
Hartig Drug Co., et al.....	2349
Rules of practice, amendment.....	2348
TITLE 29—LABOR:	
Wage and Hour Division:	
Portable lamp and shade industry, minimum wage recommendation.....	2351
TITLE 33—NAVIGATION AND NAVIGABLE WATERS:	
Corps of Engineers, War Department:	
Lake Erie, danger zone regulations.....	2352
TITLE 47—TELECOMMUNICATION:	
Federal Communications Commission:	
Coastal and marine relay services, amendment.....	2352
Ship service, amendment.....	2353

NOTICES

Department of the Interior:	
Bituminous Coal Division:	
Applications for registration..	2353
District Board No. 6, notice of hearing.....	2353
Department of Labor:	
Division of Public Contracts:	
Electrical, radio transmitter, and related products, opportunity to show cause..	2354

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

CONTENTS—Continued

Department of Labor—Continued.

Wage and Hour Division:

Industries of a seasonal nature: Page

Logging operations, etc., hearing..... 2355

Receiving of raw shorn fleece wool, prima facie determination..... 2355

Women's apparel industry, appointment of industry committee..... 2354

Federal Communications Commission:

Hearings:

National Broadcasting Co. (KGO, KOA, WMAL) (3 documents)..... 2356, 2357

Oregonian Publishing Co. (KEX)..... 2355

Wasmer, Louis (KGA)..... 2356

Securities and Exchange Commission:

Hearings, etc.:

Chain Store Investors Trust..... 2359

Investors Syndicate, et al..... 2357

Southern Natural Gas Co., et al..... 2358

Victor Brewing Co., application granted..... 2358

division, the Chief Reviewing Appraiser, and the Chief, Loan Analysis Subsection, to approve loans by the Federal land banks in excess of \$25,000, pursuant to paragraph Seventh of section 12 of the Federal Farm Loan Act (39 Stat. 370, 12 U.S.C. 771 "Seventh"), as amended. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memorandum No. 846, Sec. Agric., Jan. 6, 1940.)

A. G. BLACK,
Governor.

[F. R. Doc. 41-3345; Filed, May 8, 1941; 11:30 a. m.]

TITLE 7—AGRICULTURE

CHAPTER VII—AGRICULTURAL ADJUSTMENT ADMINISTRATION

[SCP-2-Supp. 2]

PART 707—1941 SUPPLEMENTARY COTTON PROGRAM

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and section 32 of the Act of August 24, 1935, as amended, SCP-2, Regulations Governing the 1941 Supplementary Cotton Program, issued January 29, 1941,¹ is hereby further amended as follows:

Paragraph (e) of § 707.2 is amended to read as follows:

§ 707.2 Cotton order stamp payments.

(e) If any producer eligible to receive cotton order stamps with respect to a farm is also interested in the production of cotton in 1941 on another farm or farms in the county (or to the knowledge of the State agricultural conservation committee in any other county) on which the acreage of cotton is in excess of the cotton acreage allotment for the farm or farms, the stamp payment computed for such producer shall be reduced by the amount determined by multiplying his share of the excess cotton acreage by the normal cotton yield for such overplanted farm or farms times 10 cents.

Done at Washington, D. C., this 7th day of May 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 41-3337; Filed, May 8, 1941; 11:14 a. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

PART 2—RULES OF PRACTICE¹

Pursuant to the authority contained in sec. 6, 38 Stat. 721; 15 U.S.C., 46, the Commission, on May 2, 1941, amended § 2.9 of its rules of practice to read as follows:

§ 2.9 *Answers.* In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

¹ 6 F.R. 960.

Four copies of answers shall be furnished. All answers shall be signed, in ink, by the respondent or by his attorney at law. Corporations or associations shall file answers through a bona fide officer or by an attorney at law. Answers shall show the office and post-office address of the signer.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true, and if in the judgment of the Commission such facts admitted constitute a violation of law or laws as charged in the complaint, to make and serve findings as to the facts and an order to cease and desist from such violations. Upon application in writing made contemporaneously with the filing of such answer, the respondent, in the discretion of the Commission, may be heard on brief, in oral argument, or both, solely on the question as to whether the facts so admitted constitute the violation or violations of law charged in the complaint.

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 2, 1941.

By direction of the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3340; Filed, May 8, 1941; 11:26 a. m.]

[Docket No. 3716]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF HARRY GEMSON

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a7) *Misbranding or mislabeling—Composition:* § 3.96 (a) (1) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of outer garment materials, cloth, and allied products, (1) using the words "camel's hair" or "camel", or any other term or terms descriptive of camel's hair, in advertising or otherwise, to describe, designate, or refer to any fabric or prod-

¹ 5 F.R. 2423.

uct which is not composed wholly of camel's hair, (2) using the term "Camel" or any other term which includes the word "camel" or any colorable simulation thereof, or using any other term of similar import or meaning on labels or otherwise, to describe, designate, or refer to any fabric or product which is not composed wholly of camel's hair, (3) using any pictorial design of a camel in connection with any description of, or reference to, fabrics or products in which camel's hair is not the predominating fiber, and (4) representing, in any manner, that fabrics or products offered for sale or sold by respondent contain camel's hair in greater quantity than is actually the case, prohibited; subject to the provision, however, as respects matter covered in prohibitions (1) and (2) hereof, that in the case of fabrics or products composed in part of camel's hair and in part of other fibers, such terms may be used as descriptive of the camel's hair content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing and designating each constituent fiber or material thereof; and subject, also, to saving proviso *re* labeling under Wool Products Labeling Act of 1939 after July 14, 1941. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Harry Gemson, Docket 3716, April 26, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of April, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before Miles J. Furnas, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, and report of the trial examiner thereon, and brief filed herein by John R. Phillips, Jr., counsel for the Commission, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Harry Gemson, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of outer garment materials, cloth, and allied products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the words "camel's hair" or "camel", or any other term or terms descriptive of camel's hair, in advertising or otherwise, to describe, designate, or refer to any fabric or product which is not composed wholly of camel's hair:

Provided, however, That in the case of fabrics or products composed in part of camel's hair and in part of other fibers, such terms may be used as descriptive of such camel's hair content if there are used in immediate connection and conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing and designating each constituent fiber thereof;

(2) Using the term "Camel" or any other term which includes the word "camel" or any colorable simulation thereof, or using any other term of similar import or meaning on labels or otherwise, to describe, designate, or refer to any fabric or product which is not composed wholly of camel's hair: *Provided, however*, That in the case of fabrics or products composed in part of camel's hair and in part of other fibers, such term may be used as descriptive of the camel's hair content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing and designating each constituent fiber or material thereof;

(3) Using any pictorial design of a camel in connection with any description of, or reference to, fabrics or products in which camel's hair is not the predominating fiber;

(4) Representing, in any manner, that fabrics or products offered for sale or sold by respondent contain camel's hair in greater quantity than is actually the case.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

It is further ordered, That no provisions contained in this order shall be construed as authorizing or permitting, after July 14, 1941, the labeling of any wool product in any manner other than in strict conformity with the provisions of the "Wool Products Labeling Act of 1939."

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3341; Filed, May 8, 1941;
11:26 a. m.]

[Docket No. 4406]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF HARTIG DRUG COMPANY,
ETC., ET AL.

§ 3.6 (h) Advertising falsely or misleadingly—Fictitious or misleading guarantees: § 3.6 (n) (2) Advertising falsely or misleadingly—Nature—Product: § 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product: § 3.6 (x) Advertising falsely or misleadingly—Results: § 3.6 (y) Advertising

falsely or misleadingly—Safety: § 3.71 (e) Neglecting, unfairly or deceptively, to make material disclosure—Safety: § 3.72 (k10) Offering deceptive inducements to purchase—Results guarantee. Disseminating, etc., in connection with offer, etc., of respondents' medicinal preparations known as "Menstruaid Nos. 1, 2, 3, 4, and 5", or any other substantially similar product, any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said products, which advertisements represent, directly or through inference, that said preparations constitute a competent or effective treatment for delayed, unnatural or suppressed menstruation, and that they are scientific, safe or harmless and are guaranteed; or which advertisements fail to reveal that the use of said preparations may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of the pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Hartig Drug Company, etc., et al., Docket 4406, April 26, 1941]

In the Matter of Hartig Drug Company, a Corporation, Also Trading as H. K. Pharmaceutical Laboratories, and A. J. Hartig, as President of the Hartig Drug Company, Individually and Trading as H. K. Pharmaceutical Laboratories

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of April, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said amended complaint, and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Hartig Drug Company, a corporation, also trading as H. K. Pharmaceutical Laboratories, or trading under any other name, and its officers, and A. J. Hartig, as president of the Hartig Drug Company, individually and trading as H. K. Pharmaceutical Laboratories, or trading under any other name, and their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their medicinal preparations known as "Menstruaid Nos. 1, 2, 3, 4, and 5", or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same names or

¹ 4 F.R. 2266.

under any other name, do forthwith cease and desist from, directly or indirectly:

1. Disseminating, or causing to be disseminated, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference,

(a) That said preparations constitute a competent or effective treatment for delayed, unnatural or suppressed menstruation; that said preparations are scientific, safe or harmless; that said preparations are guaranteed; or which advertisements fails to reveal that the use of said preparations may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of the pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning.

2. Disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparations, which advertisements contain any of the representations prohibited in paragraph 1 hereof, or which fail to reveal that the use of said preparations may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of the pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning.

It is further ordered, That the respondents shall, within ten (10) days after service upon them of this order, file with the Commission an interim report in writing, stating whether they intend to comply with this order, and if so, the manner and form in which they intend to comply; and that within sixty (60) days after service upon them of this order, said respondents shall file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3342; Filed, May 8, 1941;
11:26 a. m.]

[Docket No. 4424]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF ETHEL BELLAMY, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* Disseminating, etc., in connection with offer, etc., of respondent's "Ethel Bellamy Eyelash Luxuriant" or any other substantially similar preparation, any advertisements by means of the United States mails, or in

commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, that said preparation possesses any therapeutic value in the treatment of granulated eyelids, that it promotes the growth of eyelashes, supplies pigment to the eyelashes, or darkens them permanently, or that it has any effect upon the color of the eyelashes in excess of such temporary effect as it may have by reason of its properties as a dye, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Ethel Bellamy, Inc., Docket 4424, April 28, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of April, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearings as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Ethel Bellamy, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of its preparation designated "Ethel Bellamy Eyelash Luxuriant", or any preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails, or (b) by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference, that said preparation possesses any therapeutic value in the treatment of granulated eyelids; that it promotes the growth of eyelashes; that it supplies pigment to the eyelashes; that said preparation darkens eyelashes permanently, or has any effect upon the color of the eyelashes in excess of such temporary effect as it may have by reason of its properties as a dye;

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said prepara-

¹ 6 F.R. 1428.

tion, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3343; Filed, May 8, 1941;
11:27 a. m.]

[Docket No. 4432]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF GLY-CAS MEDICINE
COMPANY ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Scientific or other relevant facts.* Disseminating, etc., in connection with offer, etc., of respondents' "Gly-Cas" medicinal preparation, or any other substantially similar product, any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (1) that indigestion, gas, bloated or sour stomach, rheumatic or neuritis pains, sore or aching muscles, limbs or joints, backaches, dizziness, nervousness, kidney trouble, sleeplessness, biliousness or headaches are typical or usual symptoms of constipation or faulty elimination, (2) that respondents' medicinal preparation "Gly-Cas" is a cure or remedy or constitutes a competent or effective treatment for aforesaid conditions, (3) that said preparation is a cure or remedy for constipation or that it has any therapeutic value in the treatment thereof in excess of the temporary relief afforded by causing a partial evacuation of the intestinal tract, (4) that said preparation will completely cleanse the system or remove toxic impurities, (5) that it will prevent invasion of intestinal glands by bacteria, (6) that it is a body conditioner and purifier which will restore one to normal health, (7) that it has any therapeutic value at all in the treatment of the symptoms, conditions or disorders set forth in prohibition (1) hereof, when such symptoms, conditions or disorders are due to causes other than constipation or faulty elimination, and (8) that it has any therapeutic value in the treatment of any of the symptoms, conditions or disorders set forth in prohibition (1) hereof, other than that furnished by causing a partial evacuation of the intestinal tract; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat.

112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Gly-Cas Medicine Company et al., Docket 4432, April 25, 1941]

In the Matter of Medora Whinrey, Individually and Trading Under the Style and Firm Name of Gly-Cas Medicine Company, and Robert B. Whinrey, an Individual

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of April, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the joint and separate answer of the respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to the said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents Medora Whinrey, individually and trading under the style and firm name of Gly-Cas Medicine Company, or under any other trade name, and Robert B. Whinrey, individually, and their respective agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their medicinal preparation "Gly-Cas", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference:

(a) That indigestion, gas, bloated or sour stomach, rheumatic or neuritis pains, sore or aching muscles, limbs or joints, backaches, dizziness, nervousness, kidney trouble, sleeplessness, biliousness or headaches are typical or usual symptoms of constipation or faulty elimination;

(b) That respondents' medicinal preparation "Gly-Cas" is a cure or remedy or constitutes a competent or effective treatment for indigestion, gas, bloated or sour stomach, rheumatic or neuritis pains, sore or aching muscles, limbs or joints, backaches, dizziness, nervousness, kidney trouble, sleeplessness, biliousness or headaches;

(c) That respondents' preparation is a cure or remedy for constipation or that it has any therapeutic value in the treatment thereof in excess of the temporary relief afforded by causing a partial evacuation of the intestinal tract;

(d) That said preparation will completely cleanse the system or remove toxic impurities;

(e) That said preparation will prevent invasion of intestinal glands by bacteria;

(f) That said preparation is a body conditioner and purifier which will restore one to normal health;

(g) That said preparation has any therapeutic value at all in the treatment of the symptoms, conditions or disorders set forth in sub-section (a) of paragraph 1 hereof, when such symptoms, conditions or disorders are due to causes other than constipation or faulty elimination;

(h) That said preparation has any therapeutic value in the treatment of any of the symptoms, conditions or disorders set forth in sub-section (a) of paragraph 1 hereof, other than that furnished by causing a partial evacuation of the intestinal tract.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said medicinal preparation "Gly-Cas", which advertisement contains any of the representations prohibited in paragraph 1 hereof, and the respective subdivisions thereof.

It is further ordered, That the respondents shall, within sixty (60) days from the date of service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they are complying with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3344; Filed, May 8, 1941;
11:27 a. m.]

TITLE 29—LABOR

CHAPTER V—WAGE AND HOUR DIVISION

PART 595—MINIMUM WAGE RATES IN THE PORTABLE LAMP AND SHADE INDUSTRY

WAGE ORDER—IN THE MATTER OF THE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 16 FOR A MINIMUM WAGE RATE IN THE PORTABLE LAMP AND SHADE INDUSTRY

Whereas on October 23, 1940, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 65,¹ appointed Industry Committee No. 16 for the Portable Lamp and Shade Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Portable Lamp and Shade Industry in accordance with section 8 of the Act; and

¹ 5 F.R. 4205.

Whereas the Committee included six disinterested persons representing the public and a like number of persons representing employers in the Portable Lamp and Shade Industry and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Portable Lamp and Shade Industry is carried on; and

Whereas on November 18, 1940, the Committee, after investigation of economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate for each of the separable divisions of the Portable Lamp and Shade Industry, namely, the Portable Lamp Division and the Shade Division; and

Whereas after notice published in the FEDERAL REGISTER on November 26, 1940, Henry T. Hunt, Esquire, Principal Hearings Examiner, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on December 11 and 12, 1940, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas all persons who appeared at the hearing were given leave to file briefs on or before January 22, 1941; and

Whereas oral argument of persons who appeared at the hearing was heard by the Administrator on January 27, 1941; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, concludes that the Industry Committee's recommendation for the Portable Lamp and Shade Industry, as defined by Administrative Order No. 65, is made in accordance with law, is supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purpose of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 16 for a Minimum Wage Rate in the Portable Lamp and Shade Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.;

Now, therefore, it is ordered, That:

§ 595.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved, and in accordance with such recommendation,

§ 595.2 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall

be paid under section 6 of the Act by every employer to each of his employees either in the Portable Lamp Division or in the Shade Division of the Portable Lamp and Shade Industry who is engaged in commerce or in the production of goods for commerce; and

§ 595.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Portable Lamp and Shade Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor; and

§ 595.4 *Definition of the portable lamp and shade industry.* The Portable Lamp and Shade Industry and the divisions thereof to which this Order and its several provisions shall apply are hereby defined as follows:

(a) *Portable lamp division.* The manufacturing, assembling, and decorating of lamps for illuminating purposes which can be moved from place to place and which can be plugged into electrical outlets by means of an extension cord and plug, excluding the manufacturing of parts for such lamps by any person other than the manufacturer, assembler or decorator of such lamps.

(b) *Lamp shade division.* The manufacturing, assembling, and decorating of lamp shades of any material except metal, glass, or plastic.

§ 595.5 *Scope of the definition.* The definition of the Portable Lamp and Shade Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping, and selling occupations, *Provided, however,* That this definition does not include employees of an independent wholesaler or employees of a manufacturer, assembler, or decorator, who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale, and, *Provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 595.6 *Effective date.* This Wage Order shall become effective July 1, 1941.

Signed at Washington, D. C., this 30th day of April 1941. Sections 595.1 to 595.6, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-3349; Filed, May 8, 1941; 11:44 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

CHAPTER II—CORPS OF ENGINEERS, WAR DEPARTMENT

PART 204—DANGER ZONE REGULATIONS¹

§ 204.94 *Lake Erie; Erie Proving Ground, Lacarne, Ohio.*

THE DANGER ZONE

(a) A triangle having its apex on shore at the Erie Proving Ground, and extending northward into Lake Erie about 15 miles. The east boundary of the restricted area is defined by a line 198 degrees, true bearing, from Niagara Reef Beacon to the water tower on the Erie Proving Ground property. The west boundary is defined as a line 164 degrees, true bearing, from West Sister Island Beacon to a range observation tower (to be erected) on the Erie Proving Ground. The range limit of the restricted area is defined by a line from West Sister Beacon to a point on the east boundary line approximately 5,000 yards north of Niagara Reef Beacon. (See U.S. Lake Survey Chart, No. 37).

THE REGULATIONS

(b) (1) Except as hereinafter qualified, the above described area is open throughout the year to the public for fishing and traffic from 4:00 p. m. Friday to 7:00 a. m. Mondays, and National (not State) Holidays from 4:00 p. m. of the preceding day to 7:00 a. m. on the day following the holiday.

(2) Firing over this range will normally take place between the hours of 7:30 a. m. and 4:00 p. m., Monday to Friday, inclusive. In the event that firing is to be conducted at hours other than stated, a special notice of such firings and the dates and hours at which the firing is to be conducted, will be published by the Commanding Officer, Erie Proving Ground, and circulated to the Post Offices in the surrounding localities for publication on the Bulletin Boards thereat. Special notices will also be furnished the U. S. Coast Guard, Cleveland District, Cleveland, Ohio, and the Regional Manager, Civil Aeronautics Authority, 1204 New Post Office Building, Chicago, Illinois.

(3) On days when firing is to be done, a large red flag will be displayed from the observation tower. The flag will be displayed by at least 7:00 a. m. of that day, and will be removed when firing ceases for the day. When firing is to occur during the hours of darkness a flashing red light will be displayed from the top of the observation tower.

(4) No phosphorous or other poisonous chemicals injurious to wildfowl, fish or other sea food, shall be discharged into the waters of the range area.

(5) No vessel shall enter or remain in the restricted area above described during the hours stated in paragraph (b)

¹ § 204.94 is added.

(2) above, or when the red flag is displayed or red light is flashing from the observation tower at Erie Proving Ground, unless specific permission is granted in each case by representatives of the Commanding Officer, who are on patrol boats policing this area. These boats are in constant radio communication with the Safety Control Station, Erie Proving Ground.

(6) Fishermen desiring to set fixed nets within the restricted waters of Erie Proving Ground are required in every instance to have a written permit. A fixed net for the purpose of this regulation is defined as a pound net, staked gill net or fike net, and all other types of nets fastened by means of poles, stakes, weights or anchors. Permits to fish within the restricted waters of the Erie Proving Ground may be obtained by written application to the Commanding Officer, Erie Proving Ground, Lacarne, Ohio. Applicants for permits must state the location at which they desire to set fixed nets and state the period of time for which they desire the permit to cover.

(7) The regulations in this section shall be enforced by the Commanding Officer through such officers, enlisted men and employees at Erie Proving Ground as may be designated, including always the officer in charge of the range patrol, using all such agencies as Government vessels, seaplanes, and other suitable equipment as may be necessary. These agencies will fly or expose a square red flag in clearing the danger zone. (Chapter XIX, Army Act of July 9, 1918 (40 Stat. 892; 33 U.S.C. 3) [Regs. Apr. 26, 1941 (E.D. 7195 (Erie Lake)—2/6])

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-3327; Filed, May 8, 1941; 9:36 a. m.]

TITLE 47—TELECOMMUNICATION

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 7—RULES GOVERNING COASTAL AND MARINE RELAY SERVICES

The Commission on May 6, 1941, effective immediately, amended § 7.82, in part, to read as follows:

§ 7.82 *Radio log for frequencies above 1500 kilocycles.* * * *

(d) The time of making an entry shall be shown opposite the entry and shall be expressed in Greenwich Mean Time (GMT) except that in the Great Lakes region the time shall be expressed in Eastern Standard Time (EST), and for coastal stations which communicate exclusively with vessels on inland waters of the United States (other than the Great Lakes), the time shall be expressed in local standard time (EST, CST, etc., counted from 0000 to 2400

o'clock, beginning at midnight).²³ The first entry in each hour shall consist of four figures; additional entries in the same hour may be expressed in two figures by omitting the hour designation. The abbreviation "GMT" (EST in the Great Lakes region; EST, CST, etc. for stations serving inland waters exclusively) shall be marked at the head of the column in which the time is entered. However, this provision shall not prohibit the use of time entries expressed in GMT (and so indicated) in lieu of local standard time. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3325; Filed, May 7, 1941;
3:23 p. m.]

PART 8—RULES GOVERNING SHIP SERVICE

The Commission on May 6, 1941, effective immediately, amended § 8.81, in part, to read as follows:

§ 8.81 Ship service. * * *

(f) To ship telephone stations for communication with other ship telephone stations only:

2638

Ship stations shall not be operated on this frequency when on the Great Lakes or on inland waters of the continental United States. Use of this frequency south of north latitude 18 degrees is permissible upon the express condition that interference shall not be caused to the aeronautical service of any foreign country. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i)—Sec. 303 (c), 48 Stat. 1082; 47 U.S.C. 303 (c))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3326; Filed, May 7, 1941;
3:23 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

APPLICATIONS FOR REGISTRATION

To all district boards, code members, distributors, the Consumers' Counsel and other interested persons:

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

²³ For example, 7:01 p. m. Eastern Standard Time would be entered at 0001 GMT; 7:30 a. m., Eastern Standard Time would be entered as 1230 GMT; 6:45 p. m., Eastern Standard Time would be entered as 2345 GMT.

Name	Address	Date application filed
C. A. Bausher	P. O. Box 93, Redding, Pa.	Apr. 28, 1941
George J. Bonnier	3224 National Bank Bldg., Detroit, Mich.	Apr. 12, 1941
W. J. Boston (W. J. Boston & Co.)	603 Park Square Building, Boston, Mass.	Apr. 21, 1941
F. M. Britt (F. M. Britt Coal Co.)	835 S. Main St., Janesville, Wis.	Mar. 31, 1941
Bulger Block Coal Co.	1085 Union Trust Bldg., Pittsburgh, Pa.	Apr. 25, 1941
J. P. Burroughs & Son, Inc.	419 Grand Traverse St., Flint, Mich.	Mar. 14, 1941
Cahill Lumber & Fuel Co.	410 Aradian Ave., Waukesha, Wisc.	Apr. 14, 1941
Carl J. Castleman	Mishawaka, Ind.	Apr. 14, 1941
Chase Coal Co., Inc. (formerly Cunard Coal Co., Inc.)	25 Broadway, New York, N. Y.	Apr. 15, 1941
Don N. Cone, d. b. a. Cone Coal & Supply Co.	400 Miami Street, Urbana, Ohio.	Apr. 21, 1941
Continental Coal Co.	1125 Roosevelt Ave., Indianapolis, Ind.	Apr. 24, 1941
Burton L. Ford	110 3rd St., Sioux City, Iowa.	Apr. 9, 1941
Goldenrod Coal Company	Omaha, Nebr.	Apr. 9, 1941
Greencastle Cash Coal Co.	210 W. Poplar St., Greencastle, Ind.	Mar. 1, 1941
The Inland Coal & Dredge Co.	1131 Northwestern Bank Bldg., Minneapolis, Minn.	Apr. 28, 1941
The Kendallia By-Products Coal Co.	Atlas Bldg., Columbus, Ohio.	Apr. 25, 1941
Keystone Building Material & Fuel Co.	6149 Olive Street Road, St. Louis, Mo.	Jan. 23, 1941
Lyons Fuel Hardware & Supplies Ltd.	494 Dundas Street, Sault Ste. Marie, Ontario.	Apr. 23, 1941
Henry K. McAnarney, d. b. a. Watkins Coal & Ice Co.	E. 4th Street, Watkins Glen, N. Y.	Apr. 26, 1941
McLaren Coal Company	200 Gas Building, Marion, Ill.	Apr. 28, 1941
Montauk Coal Corporation	17 Battery Place, New York, N. Y.	Apr. 23, 1941
C. S. Moores, (Moores Coal Company)	Fayetteville, Tenn.	Apr. 28, 1941
James Murphy Coal Co., (Frank Murphy)	112½ Simpson Street, Fort William, Ontario, Canada.	Apr. 26, 1941
Howard C. O'Brien, (O'Brien Coal Sales)	1455 Gage Street, Saginaw, Mich.	Apr. 28, 1941
A. D. Moore (owner) (Peoples Coal & Coke Co.)	513 Whitney St., Belvidere, Ill.	Apr. 18, 1941
H. V. Redden (H. V. Redden Coal Co.)	Cardinal, Ontario, Canada.	Apr. 14, 1941
H. A. Regua (Regua Coal Co.)	20 North Wacker Drive, Chicago, Ill.	Apr. 17, 1941
The C. Reiss Coal Co.	Sheboygan, Wis.	Apr. 7, 1941
Milo J. Simons Coal Co.	331 E. Michigan Ave., Kalamazoo, Mich.	Apr. 14, 1941
The Taggart Coal & Supply Co.	311 S. Limestone St., Springfield, Ohio.	Apr. 8, 1941
V. H. Valentine (Valentine Coal Co.)	Preston Avenue, Charlottesville, Va.	Apr. 17, 1941
Fred C. Warman	Box 1344, 84 Craig St., Uniontown, Pa.	Apr. 8, 1941
W. A. Watson, d. b. a. Midwest Refractories Co.	1447 Oliver Bldg., Pittsburgh, Pa.	Apr. 8, 1941
(W. M. Wells Coal Co.) Edward F. Eicks, Sole Owner.	800 Francis St., Fort Wayne, Ind.	Apr. 17, 1941
Woodruff Coal Company	Kalamazoo, Mich.	Apr. 21, 1941
Zajeski, Inc.	12001 South Calumet Ave., Chicago, Ill.	Apr. 12, 1941

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before May 16, 1941. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated: May 6, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3339; Filed, May 8, 1941;
11:19 a. m.]

[Docket No. A-823]

PETITION OF BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 6 FOR A 10-CENT INCREASE IN SPECIFIC PRICE ADJUSTMENTS FOR COALS PRODUCED AT THE BETHANY MINE, MINE INDEX NO. 5, OF THE P. V. & K. COAL COMPANY, WHEN FOR SHIPMENT TO CLEVELAND, OHIO, ONLY (MARKET AREA NO. 13)

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party:

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of

the Division be held on June 30, 1941, at 9 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Chas S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition

is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before June 23, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Bituminous Coal Producers Board for District No. 6 for a ten-cent increase in specific price adjustments for coals produced at the Bethany Mine, Mine Index No. 5, of the P. V. & K. Coal Company, when for shipment to Cleveland, Ohio, only.

Dated: May 6, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3338; Filed, May 8, 1941;
11:19 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

IN THE MATTER OF THE DETERMINATION OF THE PREVAILING MINIMUM WAGES IN THE ELECTRICAL, RADIO TRANSMITTER AND RELATED PRODUCTS MANUFACTURING INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

The Secretary of Labor has presently before her the complete record in the above-entitled matter including the material that was presented pursuant to notice of opportunity to be heard on May 21, 1940, and opportunity to submit additional information which was given on January 25, 1941.¹

The Electrical, Radio Transmitter and Related Products Manufacturing Industry as constituted for the purposes of this notice is that industry which manufactures machinery, equipment, apparatus, and parts thereof for employment directly in the generation, storage, transmission, measurement, or utilization of electrical energy, exclusive of:

- Aluminum Conductors.
- Blowers, Ventilating and Exhaust Fans (other than air circulators).
- Clocks, Watches, materials and parts.
- Conduit: Rigid Metallic, treated Wood or Terra Cotta.
- Electric Porcelain of all types and Glass Insulators.
- Electrically - Actuated Instruments (used to measure physical quantities).
- Engine-Driven and Gear-Driven Generating Sets.
- Home Radio Sets; their component parts and tubes.

Turbines and Governors for Turbines.
Industrial Ice-Making Machinery.
Pole Line Hardware.
Sewing Machines.
Spark Plugs.

Starters, Generators, Magnetos, and sundry electrical devices made expressly for Aircraft or Automotive use.

Street Lighting Standards (including poles).

Towers, Poles, and other supports for Transmission Lines.

The Electrical, Radio Transmitter and Related Products Manufacturing Industry shall be interpreted to include the manufacture of receiving as well as transmitting sets and equipment.

The prevailing minimum wage proposed for the industry is 45 cents per hour or \$18.00 per week of 40 hours, arrived at either upon a time or piece rate basis, with a tolerance for the employment of learners at 40 cents an hour or \$16.00 per week for a period not to exceed 160 hours of work, in a number not to exceed 5 percent of the total number of employees then working on government contracts subject to the Public Contracts Act and this determination.

All interested persons are hereby notified that they are given until June 7, 1941, to show cause why the Secretary of Labor should not make her decision finding the industry to be as above defined and the minimum wages to be as above formulated. Briefs for or against the proposed decision must be filed with the Administrator of the Division of Public Contracts, Department of Labor. No form for the brief is prescribed, but an original and four copies must be submitted.

Dated: May 7, 1941.

L. METCALF WALLING,
Administrator.

[F. R. Doc. 41-3350; Filed, May 8, 1941;
12:00 m.]

Wage and Hour Division.

[Administrative Order No. 103]

APPOINTMENT OF INDUSTRY COMMITTEE NO. 27 FOR THE WOMEN'S APPAREL INDUSTRY

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the women's apparel industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public. Frederick H. Harbison, Chairman, Chicago, Illinois; Paul F. Brissenden, New York, New York; E. J. Jaqua, Claremont, California; Jane Perry Clark, New York, New York; Gladys Boone, Sweetbriar, Virginia.

For the employees. David Dubinsky, New York, New York; Julius Hochman, New York, New York; Morris Bialis, Chicago, Illinois; Harry Greenberg, New

York, New York; Rose Pesotta, Los Angeles, California.

For the employers. Jack Mintz, New York, New York; Thomas A. Hennigan, St. Louis, Missouri; Daniel L. Jones, New Haven, Connecticut; B. Weiss, New York, New York; Jacob J. Lubell, New York, New York.

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "women's apparel industry" means:

The production of women's, misses', and juniors' dresses, washable service garments, blouses, and neckwear from woven or purchased knit fabric; women's, misses', children's and infants' underwear, nightwear, and negligees from woven fabric; corsets and other body supporting garments from any material; other garments similar to the foregoing; and infants' and children's outerwear.

3. The definition of the women's apparel industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations, provided, however, that such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition, and provided further that where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet in Conference Room No. 3229, Department of Labor Building, Washington, D. C., on June 10, 1941, at 10 a. m. The Committee, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at Washington, D. C., this 6th day of May 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-3348; Filed, May 8, 1941;
11:45 a. m.]

¹ 6 F.R. 659.

NOTICE OF HEARING IN THE MATTER OF APPLICATION FOR THE EXEMPTION OF LOGGING OPERATIONS IN THE COUNTIES OF BENEWAH, BONNER, BOUNDARY, SHOSHONE, KOOTENAI AND LATAH IN THE STATE OF IDAHO AND IN ADJACENT AREAS, FROM THE MAXIMUM HOURS PROVISIONS OF THE FAIR LABOR STANDARDS ACT OF 1938 AS A BRANCH OF AN INDUSTRY AND OF A SEASONAL NATURE

Whereas an application has been filed by sundry parties engaged in logging operations in Bonner, Boundary, Shoshone, Kootenai and Latah Counties in the State of Idaho for exemption from the maximum hours provisions of the Fair Labor Standards Act of 1938 of such logging operations as a branch of an industry and of a seasonal nature pursuant to section 7 (b) (3) of the act and Part 526 as amended of the regulations issued thereunder.

Now, therefore, notice is hereby given of a public hearing to be held at the Civil Auditorium, Coeur D'Alene, Idaho, to commence at 10 o'clock a. m. on May 23, 1941 before Mr. Harold Stein, an authorized representative of the Administrator who shall take testimony, hear arguments and determine whether logging operations in Benewah, Bonner, Boundary, Shoshone, Kootenai and Latah Counties in the State of Idaho and in adjacent areas constitute a branch of the lumber industry and of a seasonal nature within the meaning of section 7 (b) (3) of the act and Part 526 as amended of the regulations issued thereunder, and if so, the appropriate limits of such industry.

Any person interested in supporting or opposing the application for exemption may appear at the hearing or file a written statement in lieu of personal appearance on his own behalf or on the behalf of any other person. Written statements should be filed with the Administrator, Wage and Hour Division, Department of Labor, Washington, D. C. not later than May 23, 1941, or with the Presiding Officer at the time of the hearing.

Signed at Washington, D. C., this 8th day of May 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-3346; Filed, May 8, 1941; 11:44 a. m.]

PRIMA FACIE DETERMINATION IN THE MATTER OF THE EXEMPTION OF THE RECEIVING OF RAW SHORN FLEECE WOOL AT PRIMARY CONCENTRATION POINTS AND COUNTRY RECEIVING STATIONS INCLUDING THE ASSEMBLING, GRADING, SACKING, AND PREPARING OF SUCH WOOL FOR SHIPMENT, FROM THE MAXIMUM HOURS PROVISIONS OF THE FAIR LABOR STANDARDS ACT OF 1938 AS A BRANCH OF AN INDUSTRY AND OF A SEASONAL NATURE

Whereas an application has been filed by the National Wool Marketing Corporation, acting in behalf of itself and sundry other parties, for the exemption

of the receiving of raw shorn fleece wool directly from the grower, including the assembling, grading, sacking, and preparing of such wool for shipment to market centers from the maximum hours provisions of the Fair Labor Standards Act as a branch of an industry and of a seasonal nature within the meaning of section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder; and

Whereas it appears from said application and upon further investigation that:

1. Owing to natural conditions, raw wool shorn from live sheep is available only during a restricted, regularly recurring season or seasons of the year.
2. During these periods of availability raw shorn wool, known in the trade as fleece wool, is received at primary concentration points or country receiving centers for the most part directly from the grower and is there assembled, graded, sacked, and shipped to market centers for storage or sale.
3. Such periods of availability do not customarily exceed five months during each year.
4. These primary concentration points or country receiving stations are closed during the remainder of the year except for sales, maintenance, repair and clerical work.

Now, therefore, upon consideration of the facts stated in the said application, and upon further investigation, the Administrator hereby determines that a *prima facie* case has been shown for the granting of an exemption as an industry of a seasonal nature pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder, to the receiving of raw shorn fleece wool at primary concentration points and country receiving stations directly from the grower, and the assembling, grading, sacking, and preparing of such wool for shipment to market centers.

As used in this determination the terms "primary concentration point" and "country receiving station" shall mean any establishment that receives all, or almost all, of its raw shorn fleece wool directly from the grower, and assembles, grades, sacks and ships such wool to market centers for storage or sale.

In accordance with the procedure established by § 526.5 (b) (ii) of the regulations, the Administrator for fifteen days following the publication of this determination will receive objection to the granting of the exemption and request for hearing from any interested person. Upon receipt of objection and request for hearing, the Administrator will set the application for the hearing before himself or an authorized representative.

If no objection and request for hearing is received within fifteen days, the Administrator will make a finding upon the *prima facie* case shown upon the application.

This application may be examined at Room 5309, United States Department of Labor Building, Washington, D. C.
Signed at Washington, D. C., this 1st day of May 1941.

JAMES F. KING,
Acting Administrator.

[F. R. Doc. 41-3347; Filed, May 8, 1941; 11:44 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6066]

NOTICE RELATIVE TO OREGONIAN PUBLISHING COMPANY (KEX)

Application dated May 23, 1940, for renewal of license; class of service, broadcast; class of station, broadcast; location, Portland, Oregon; present assignment: Frequency, 1190 kc.; power, 5 kw.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the existence, nature, extent and effect of any agreements or understandings, written or oral, which involve control, ownership or operation of Station KEX.

2. To reexamine the provisions of the lease agreement entered into by and between the National Broadcasting Company, Inc., and the applicant, especially as to any rights which the said National Broadcasting Company, Inc., may have retained or attempted to retain in the license for Station KEX.

3. To determine whether the granting of the application would be consistent with the provisions of sections 301 and 309 (b) (1) of the Communications Act of 1934, as amended.

4. To determine whether the applicant has participated in an arrangement involving assertion of property interest in a frequency and an attempted lease thereof.

5. To determine whether in view of the evidence adduced under the preceding issues, granting of the application and the continued operation of Station KEX will serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of

the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Oregonian Publishing Co., Radio Station KEX, 615 Alder St., Portland, Oregon.

Dated at Washington, D. C., May 6, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3328; Filed, May 8, 1941;
10:32 a. m.]

[Docket No. 6067]

NOTICE RELATIVE TO LOUIS WASMER (KGA)

Application dated May 28, 1940, for renewal of license; class of service, broadcast; class of station, broadcast; location, Spokane, Washington; present assignment: Frequency, 1,510 kc.; power, 5 kw.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the existence, nature, extent and effect of any agreements or understandings, written or oral, which involve control, ownership or operation of Station KGA.

2. To reexamine the provisions of the lease agreement entered into by and between the National Broadcasting Company, Inc., and the applicant, especially as to any rights which the said National Broadcasting Company, Inc., may have retained or attempted to retain in the license for Station KGA.

3. To determine whether the granting of the application would be consistent with the provisions of sections 301 and 309 (b) (1) of the Communications Act of 1934, as amended.

4. To determine whether the applicant has participated in an arrangement involving assertion of property interest in a frequency and an attempted lease thereof.

5. To determine whether in view of the evidence adduced under the preceding issues, granting of the application and the continued operation of Station KGA will serve public interest, convenience, or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102

of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Louis Wasmer, Radio Station KGA, Radio Central Bldg., Sprague & Post Streets, Spokane, Washington.

Dated at Washington, D. C. May 6, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3329; Filed, May 8, 1941;
10:32 a. m.]

[Docket No. 6068]

NOTICE RELATIVE TO NATIONAL BROADCAST- ING Co. INC. (KGO)

Application dated May 27, 1940, for renewal of license (main and auxiliary); class of service, broadcast; class of station, broadcast; location, San Francisco, Calif.; present operating assignment—main transmitter: Frequency, 810 kc.; power, 7½ kw.; hours of operation, unlimited—auxiliary transmitter: Frequency, 810 kc.; power, 2½ kw.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the existence, nature, extent and effect of any agreements or understandings, written or oral, which involve control, ownership or operation of Station KGO.

2. To reexamine the provisions of the lease agreement entered into by and between General Electric Company and applicant, especially as to any rights which the said General Electric Company may have retained or attempted to retain in the license for Station KGO.

3. To determine whether the granting of the application would be consistent with the provisions of sections 301 and 309 (b) (1) of the Communications Act of 1934, as amended.

4. To determine whether the applicant has participated in an arrangement involving assertion of property interest in a frequency and an attempted lease thereof.

5. To determine whether in view of the evidence adduced under the preceding issues, granting of the application and the continued operation of Station KGO will serve public interest, convenience, or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the

applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

National Broadcasting Co., Inc., Radio Station KGO, % Dr. C. B. Jolliffe, RCA Frequency Bureau, 30 Rockefeller Plaza, New York, N. Y.

Dated at Washington, D. C., May 6, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3330; Filed, May 8, 1941;
10:32 a. m.]

[Docket No. 6070]

NOTICE RELATIVE TO NATIONAL BROADCAST- ING Co., INC. (KOA)

Application dated May 27, 1940, for renewal of license; class of service, broadcast; class of station, broadcast; location, Denver, Colorado; present operating assignment: Frequency, 850 kc.; power, 50 kw.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the existence, nature, extent and effect of any agreements or understandings, written or oral, which involve control, ownership or operation of Station KOA.

2. To reexamine the provisions of the lease agreement entered into by and between General Electric Company and applicant, especially as to any rights which the said General Electric Company may have retained or attempted to retain in the license for Station KOA.

3. To determine whether the granting of the application would be consistent with the provisions of sections 301 and 309 (b) (1) of the Communications Act of 1934, as amended.

4. To determine whether the applicant has participated in an arrangement involving assertion of property interest in a frequency and an attempted lease thereof.

5. To determine whether in view of the evidence adduced under the preceding issues, granting of the application and the continued operation of Station KOA will serve public interest, convenience, or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than

the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

National Broadcasting Co., Inc., Radio Station KOA, % Dr. C. B. Jolliffe, RCA Frequency Bureau, 30 Rockefeller Plaza, New York, N. Y.

Dated at Washington, D. C., May 6, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3331; Filed, May 8, 1941; 10:32 a. m.]

[Docket No. 6071]

NOTICE RELATIVE TO NATIONAL BROADCASTING CO. INC. (WMAL)

Application dated May 27, 1940, for renewal of license (main and auxiliary); class of service, broadcast; class of station, broadcast; location, Washington, D. C.; present operating assignment—main transmitter—Frequency: 630 kc.; power, 5 kw.; hours of operation, unlimited—Auxiliary transmitter—Frequency: 630 kc.; power, 250 w.; hours of operation, for auxiliary purposes only.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the existence, nature, extent and effect of any agreements or understandings written, or oral, which involve control, ownership or operation of Station WMAL.

2. To reexamine the provisions of lease agreement entered into by and between M. A. Leese Radio Corporation and the National Broadcasting Company, Inc., especially as to any rights which the said M. A. Leese Radio Corporation may have retained or attempted to retain in the license for Station WMAL.

3. To determine whether the granting of the application would be consistent with the provisions of sections 301 and 309 (b) (1) of the Communications Act of 1934, as amended.

4. To determine whether the applicant has participated in an arrangement involving assertion of property interest in a frequency and an attempted lease thereof.

5. To determine whether in view of the evidence adduced under the preceding issues, granting of the application and the continued operation of Station WMAL will serve public interest, convenience, or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the

basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

National Broadcasting Company, Inc., Radio Station WMAL, % Dr. C. B. Jolliffe, RCA Frequency Bureau, 30 Rockefeller Plaza, New York, N. Y.

Dated at Washington, D. C., May 6, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3332; Filed, May 8, 1941; 10:33 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-155]

IN THE MATTER OF INVESTORS SYNDICATE, INVESTORS SYNDICATE OF AMERICA, INC., AND SOUTHEASTERN MORTGAGE COMPANY

NOTICE OF AND ORDER FOR HEARING AND ORDER OF TEMPORARY EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of May, A. D. 1941.

Investors Syndicate and Investors Syndicate of America, Inc., both registered face amount certificate companies, and Southeastern Mortgage Company, have filed a joint application under sections 6 (c) and 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of sections 17 (a) (1) and 17 (a) (2) of said Act certain proposed transactions between the applicants, and for an order temporarily exempting such transactions pending final disposition of said application. Investors Syndicate of America, Inc. and Southeastern Mortgage Company are wholly owned subsidiaries of Investors Syndicate.

The transactions as to which the applicants seek exemption are the sale or assignment by Southeastern Mortgage Company to Investors Syndicate and Investors Syndicate of America, of certain mortgages and other obligations secured by real estate, at prices representing 101½% of the principal amount of each mortgage or other obligation involved plus a service fee equivalent to ¼ of 1% per month of the unpaid balance of such mortgage or other obligation.

It appears prima facie that the terms of the proposed transactions including the consideration to be paid or received,

if effected as recited above, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that such proposed transactions are consistent with the policy of the applicants and with the general purposes of the Investment Company Act of 1940.

Said application is verified under oath on behalf of the applicants, who have waived hearing and argument and have agreed that the application may be considered on the facts stated therein and exhibits thereto and other public records of the Commission.

It appears consistent with and appropriate in the public interest to issue an order exempting the transactions aforesaid pending final action by the Commission on the application for other or further exemption and to hold a public hearing on the application for further or other exemption.

Wherefore it is ordered, That a hearing on said application be held on Friday, May 16, 1941 at 9:45 o'clock in the forenoon of that day in the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested persons where such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under Sections 41 and 42 of the Investment Company Act of 1940 and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, pending the final disposition of said application or the prior order of the Commission, the sale or assignment from time to time by Southeastern Mortgage Company to Investors Syndicate and Investors Syndicate of America, Inc., and the purchase by Investors Syndicate and Investors Syndicate of America, Inc. from Southeastern Mortgage Company of mortgages or other first liens on real estate, loans secured by such mortgages or other first liens, and instruments, if any, evidencing such loans, be, and the same are hereby exempted from the provisions of section 17 (a) (1) and 17 (a) (2) of the Investment Company Act of 1940, subject to the following terms and conditions:

1. All such mortgages, first liens and mortgage loans shall be qualified investments for registered face amount certificate companies, within the meaning of section 28 (b) of the Investment Company Act of 1940.

2. No mortgage or mortgage loan, or other first lien, on real estate shall be acquired from Southeastern Mortgage Company by Investors Syndicate or Investors Syndicate of America, Inc. after the expiration of more than 90 days (a)

from the date when the loan is completed, the papers and documents executed and delivered and filed and/or recorded, as required, and all other acts done necessary to perfect the lien of the mortgage or other lien instrument and title thereto and to the loan in said Southeastern Mortgage Company, and (b) in case of mortgage loans insured by the Federal Housing Administrator, from the date when such mortgage insurance becomes effective.

3. No mortgage or mortgage loan, or other first lien, on real estate, representing or resulting from a refinancing of any delinquent loan, held by Southeastern Mortgage Company or from the sale of any real estate of Southeastern Mortgage Company shall be acquired from it by Investors Syndicate or Investors Syndicate of America, Inc.; nor shall any mortgage be acquired by Investors Syndicate or Investors Syndicate of America, Inc., if the borrower, mortgagor or obligor under such mortgage, or the equitable owner of the real estate securing such mortgage or loan, is an affiliated person of any of the applicants herein.

4. Neither Investors Syndicate nor Investors Syndicate of America, Inc., shall make any payment to or be subjected to any fees, commissions, charges, costs or expenses by Southeastern Mortgage Company or any affiliated person thereof on account of any such mortgage transaction or the servicing of any such mortgage or mortgage loan, or other lien, exclusive of costs, disbursements and expenses exempted by this order, except (a) an amount which may be charged by Southeastern Mortgage Company as a single premium payable at the time or transfer or sale, not to exceed $1\frac{1}{2}\%$ of the principal amount of the loan and mortgage involved in the transfer, or the cost thereof to Southeastern Mortgage Company if acquired at a discount, and (b) a charge made each calendar month by Southeastern Mortgage Company to Investors Syndicate, or Investors Syndicate of America, Inc., of not to exceed $\frac{1}{4}$ of 1% of the principal balance on the first day of such month of each loan and mortgage or other first lien on real estate serviced by Southeastern Mortgage Company for Investors Syndicate or Investors Syndicate of America, Inc.

5. Pending final disposition of the application herein, Southeastern Mortgage Company and Investors Syndicate, and Southeastern Mortgage Company and Investors Syndicate of America, Inc., shall jointly file with this Commission before the 15th day of each calendar month a statement showing the transactions by and between them as principals, completed during the next preceding calendar month, in such form, manner and detail as the Commission shall from time to time require.

6. The Commission may, on not more than three days' notice to the applicants

herein, revoke, modify or suspend this order.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3335; Filed, May 8, 1941;
11:09 a. m.]

[File No. 1-409]

IN THE MATTER OF THE VICTOR BREWING COMPANY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of May, A. D. 1941.

The Pittsburgh Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, \$1 Par Value, of The Victor Brewing Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission, having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on May 17, 1941.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3336; Filed, May 8, 1941;
11:10 a. m.]

[File No. 70-311]

IN THE MATTER OF SOUTHERN NATURAL GAS COMPANY AND FEDERAL WATER SERVICE CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of May, A. D. 1941.

A declaration and an application having been duly filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties concerning the following transactions:

1. Southern Natural Gas Company, a registered holding company and subsidiary of Federal Water Service Corporation also a registered holding company, proposes to issue and sell \$13,000,000 principal amount of its First Mortgage Pipe Line Sinking Fund Bonds, $3\frac{3}{4}\%$ Series, due 1956, dated April 1, 1941, to an underwriting group for resale to the public;

2. The issue and sale by Southern Natural Gas Company of \$4,500,000 principal amount of its $2\frac{1}{2}\%$ Serial Notes due May

1, 1942, and semiannually thereafter until May 1, 1947, to The Chase National Bank of the City of New York and other banks;

3. The authorization, issue and sale by Southern Natural Gas Company of 234,868 shares of its Common Stock having a par value of \$7.50 per share. Such Common Stock is to be offered in the ratio of $\frac{1}{2}$ of one share for each share held, for subscription by the stockholders of Southern Natural Gas Company at the price of \$12.50 per share. Transferable warrants evidencing such subscription rights will be issued as soon as practicable after the entry of the order of this Commission concerning such matter and the said warrants will expire 30 days after the issue thereof;

4. Federal Water Service Corporation proposes to acquire at the price of \$12.50 per share 123,066 shares of the said Common Stock to be issued by Southern Natural Gas Company, being the amount it is entitled to subscribe for as the holder of 615,332 shares of the total of 1,174,344 shares of the Common Stock of Southern Natural Gas Company presently outstanding;

5. Federal Water Service Corporation also proposes, subject to certain conditions, to purchase at the price of \$12.50 per share all of the said Common Stock not subscribed for by the other stockholders of Southern Natural Gas Company within ten days after the said subscription warrants have expired; and

6. With the proceeds to be derived from the above mentioned securities Southern Natural Gas Company proposes to redeem and retire the presently outstanding securities of the Company:

(a) \$10,857,000 principal amount First Mortgage Pipe Line Sinking Fund Bonds, $4\frac{1}{2}\%$ Series, due October 1, 1951, at 105% of their principal amount plus interest accrued to the date of redemption.

(b) \$484,000 principal amount First Mortgage Pipe Line Sinking Fund Bonds, $4\frac{1}{2}\%$ Series, due April 1, 1952, at 105% of their principal amount plus interest accrued to the date of redemption.

(c) \$5,771,523.35 principal amount Adjustment Mortgage Bonds, due January 1, 1960, at 100% of their principal amount plus interest accrued to the date of redemption. Such Adjustment Mortgage Bonds are redeemable on October 1, 1941, on not less than thirty days notice, at 100% of their principal amount plus interest accrued to the date of redemption; and

(d) \$450,000 principal amount 4% Collateral Note, at 100% of the principal amount plus accrued interest to date of payment, Southern Natural Gas Company having been advised that the holder thereof will waive its right of sixty days notice of intention to make such prepayment; and

The above named parties considering section 7 of the Act to be applicable to the issue of securities by Southern Natural Gas Company and section 10 of the

Act to be applicable to the acquisition by Federal Water Service Corporation of the Common Stock to be issued by Southern Natural Gas Company, and that the redemption of the securities proposed to be redeemed is exempt from the provisions of section 12 (c) of the Act by virtue of the provisions of the Rules promulgated thereunder; and

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said declaration and application and that said declaration and application shall not become effective or be granted except pursuant to further order of the Commission and at said hearings there be considered among other things the various matters hereinafter set forth;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on May 23, 1941, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any

other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 21, 1941.

It is further ordered, That without limiting the scope of issues presented by said declaration and application under any applicable provisions of the Act or Rules, particular attention will be directed at said hearing to the following matters and questions:

1. The use of the proceeds to be derived from the issue and sale of the above described securities remaining after the retirement of the securities proposed to be retired.

2. The reasonableness of the consideration proposed to be paid by Federal Water Service Corporation for the common stock of Southern Natural Gas Company that it proposes to acquire.

3. The fairness to the minority stockholders of Southern Natural Gas Company of the terms and conditions of the proposed offering of new common stock.

4. The advisability of entering an order or orders pursuant to section 12 (f) of the Act with respect to any of the transactions proposed to be had between affiliates.

5. The appropriateness of the terms and provisions of the securities proposed to be issued by Southern Natural Gas Company in the light of applicable provisions of the Act and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3333; Filed, May 8, 1941;
11:09 a. m.]

[File No. 811-10]

IN THE MATTER OF CHAIN STORE INVESTORS
TRUST

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of May, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that applicant has ceased to be an Investment Company within the meaning of said Act;

It is ordered, That a hearing on the aforesaid application be held on May 22, 1941 at 9:45 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1101 will advise interested parties where such hearing will be held;

It is further ordered, That William W. Swift, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3334; Filed, May 8, 1941;
11:09 a. m.]

